

## **MONROE COUNTY PLANNING COMMISSION**

### **AGENDA ITEM SUMMARY**

Meeting Date: June 28, 2006

Department: Planning

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#### **AGENDA ITEM WORDING:**

Request by Kraus Commercial Property Group, d.b.a. Kraus Supermarket Liquors and Deli, for approval of an Alcoholic Beverage Special Use Permit in order to obtain a 5-COP (Beer, Wine, Liquor Package Only) alcohol beverage license.

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#### **ITEM BACKGROUND:**

Permit C16201/19520 and C9911/C8206 permitted the construction of the office retail building for 18,180 square feet. This plaza was constructed prior to the adoption of the current Land Development Regulations.

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#### **ISSUES OF IMPORTANCE:**

None.

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#### **PREVIOUS RELEVANT COMMISSION ACTION:**

On May 25, 2005, the applicant was granted approval by the Planning Commission for a 3APS Alcoholic Beverage Special Use Permit.

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#### **STAFF RECOMMENDATION:**

Approval.

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**DOCUMENTATION:**      Included   X        To Follow



# Memorandum

TO: Monroe County Planning Commission  
FROM: Timothy Richard, Senior Planning Technician  
DATE: June 21, 2006  
RE: Kraus Supermarket Liquors and Deli, Alcohol Beverage Special Use Permit

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**MEETING DATE:** June 28, 2006

## I. REQUEST

### *Type of License:*

The applicant is requesting a 5-COP for Beer, Wine & Liquor for consumption on premises and package sales.

### *Location:*

The retail store is located at 105910 Overseas Highway and is legally described as Lots 17 through 23, Block 1 and Adjacent Right of Way, Largo Hi-Lands Subdivision, Key Largo, Monroe County, Florida, at approximate Mile Marker 106 and having Real Estate #00532950.000000.

### *Property Owner:*

Kraus Commercial Property Group, LLC,  
214 Corsair Road  
Duck Key, FL 33050  
(305) 289-2274

### *Applicant:*

George A. Kraus, Jr. for Kraus Liquor Properties  
LLC, dba Kraus Supermarkets Liquor Lands and  
Deli  
214 Corsair Road  
Duck Key, FL 33050  
(305) 289-2274

## II. BACKGROUND INFORMATION

### *Land Use District:*

The property is located in the Sub Urban Commercial (SC) Land Use District and has a Future Land Use Map designation of Mixed Use Commercial (MC).

### *Size of Site:*

The property is 63,485.19 +/- square feet or 0.14 acres.

### *Community Character of Neighborhood within 500 feet:*

The overall structure is a small “strip” like shopping plaza located on the bay side. The property is fronted to the East by US 1 with a wide grassy FDOT right of way. To the South a vacant lot separates the Kraus’ property from a small commercial building. To the North is the Key Largo Chamber of Commerce building. A shared gravel driveway leads to parking behind the Chamber and access to the rear of the plaza. To the West, behind the plaza, is a residential neighborhood separated by a chain link fence. In the rear of the plaza is a driveway area for deliveries with access to the South and North of the plaza.

## **III. EVALUATION**

The criteria for evaluating the request are listed in Section 19-218(e) of the Monroe County Code. The following comments and recommendations are offered by the Planning Department staff in accordance with these criteria:

### **1. Effect upon surrounding properties and the immediate neighborhood as represented by property owners within 500 feet of the premises.**

The subject property has operated as a commercial retail dive shop prior to the proposed use of the liquor store and deli. Upon analyzing the proposed use Raj Shanmugam, Traffic Engineer for URS and consultant to Monroe County, has determined that there will be no additional traffic impacts. The granting of the 5-COP license is not anticipated to have any additional impact on the surrounding properties.

### **2. The suitability of the premises in regard to its location, site characteristics and intended purpose. Lighting on the permitted premises shall be shuttered and shielded from surrounding properties, and construction of such permitted properties will be soundproofed. In the event music and entertainment is permitted, the premises shall be air conditioned.**

The site was built as an office/retail plaza in 1978 with an additional 15,000 square feet permitted in 1984. Numerous commercial uses have operated on site for the past two decades. A retail operation of liquor and deli products is in keeping with the historical use of this property. The physical location of the site, the characteristics of the site and the intended purpose are suitable for the 5-COP alcoholic beverage permit.

### **3. Access, traffic generation road capacities, and parking requirements.**

Access to this site is taken directly from the Overseas Highway. There is sufficient parking on site. As previously stated, negligible traffic impacts are anticipated therefore no additional

impact on the level of service is expected. This site is suitable with regards to access, traffic generation road capacities, and parking requirements.

**4. Demands upon utilities, community facilities and public services.**

The addition of a 5-COP Alcoholic Beverage Permit should not place further demands upon utilities, community facilities and public services.

**5. Compliance with the County's restrictions or requirements.**

The current site is in compliance with the original permitted development. The shopping center meets the requirements of the County Code in effect at the time of permitting. As there is no change in use or intensity compliance with current development standards is not required.

**6. Previous relevant Planning Commission action.**

On May 25, 2005, the applicant was granted approval by the Planning Commission for a 3APS Alcoholic Beverage Special Use Permit. The applicant was later informed by the State that a 5COP license is required in order to prepare "made to order" food for customers.

**IV. RECOMMENDATION**

Based upon the above information, staff of the Monroe County Planning Department recommends **APPROVAL** of the 5-COP Alcoholic Beverage Use Permit (Beer, Wine & Liquor for consumption on premise and package). Please note that the applicant does not intend to allow customers permission to consume alcohol on the premise despite the issuance of this permit.